

**From:** Rolph, John <JRolph@marshall.usc.edu>  
**Sent:** Sunday, July 10, 2016 6:12 PM  
**To:** Ramona Hedges  
**Subject:** Kiler Ridge Olive Farm Project--CUP application

July 10, 2016

To: SLO County Planning Department

Re: Dust Control for the Kiler Ridge Olive Farm Project, County File Number:  
DRC2013-00096

Attention: Planning Commission Secretary

Dear Planning Commissioners:

I am writing in support of the Kiler Ridge Olive Farm Project. Specifically, I would like to address the issue of dust control on the road and driveway that connects Kiler Canyon Road to the Kiler Ridge Olive Farm. There have been conflicting or at least ambiguous statements made at Planning Commission Hearings about effectiveness or lack thereof of Magnesium Chloride to control dust. My understanding is that the applicants propose to apply Magnesium Chloride or a similar product to control dust on their road and driveway. I have experience in using Magnesium Chloride on my property that I believe is relevant.

My wife and I live on Adelaida Road west of Paso Robles where we raise grapes and olives. We farm 30 acres of vineyard. We have applied Magnesium Chloride to the road base on the roads servicing our vineyards each year for about 10 years. It has been extremely effective in eliminating road dust on our property. We plan to continue using Magnesium Chloride for this purpose.

We have been using the firm, Advanced Dust Control, to apply Magnesium Chloride to our roads for the past several years. My understanding from them is there are a number of wineries and vineyards that have on-going contracts with them to apply Magnesium Chloride for dust control. These have included Tablas Creek, Dusy and Halter Ranch.

I have spoken several times with a Planning Department staff member about our experience using Magnesium Chloride. He told me that his analysis of weather

data showed that our location is significantly drier than Kiler Ridge Olive Farm. Based on that information, he concluded that Magnesium Chloride would be at least as effective at the Kiler Ridge Olive Farm location as it is at our location.

I hope that you will consider this information when you address the issue of dust control for this project.

Sincerely yours,

JOHN ROLPH  
Rolph Family Vineyards  
7710 Adelaida Road  
Paso Robles CA 93446

Commissioners

RE Bone DRC 13-00096 Hearing 7/14/16

The conditions of approval have been revised again. Condition #27 has been revised to only apply dust suppressant during the 3 month peak season. However most of the dust is generated outside of the peak season from the year round UPS/FEDEX/USPS/jeep tours/olive tours/school buses, etc and not just during the harvest season. Not applying it year round will be a useless endeavor.

At minimum, the road needs to be paved at least through the gate to mitigate dust as have the two other wineries in this area. This will be passive enforcement of a required mitigation. Otherwise there will be continual calls to code enforcement to enforce the mitigation of dust. A dust suppressant will not work and neither code enforcement nor APCD will have the time or resources to monitor the situation.

You are going to have a presentation, I understand, by Michael Fredricks regarding dust suppressant. This is the same contractor who was hired by the applicant to push undocumented fill over the existing access road to widen the road.

Also with a dust suppressant in lieu of paving, the applicant will have to voluntarily comply with maintaining a dust suppressant which he will not do, given his past disregard for County policies and permit requirements .

Not once in 7 years of illegal operation has the applicant placed any dust suppressant on the access road to mitigate the dust problem in total disregard of neighbor concerns.

There is a 40-50 foot section of access road that is 17' maximum wide with a 70 deg drop off. This section of the road makes it unsafe for two way traffic as stated in three letters from CAL FIRE. This section of the road is dangerous for residential traffic and needs to be widened or at least put up a guardrail.

Why is it the CAL FIRE stated that the road was unsafe for two way traffic and somehow now it is miraculously ok? It may be ok for a fire truck to go up the center of the road and “..the intent of the law, if not the letter of the law...” is met according to the latest CAL FIRE letter, but it is NOT safe for two way residential traffic when you have FED EX and UPS trucks coming up on a daily basis along with weekly large recycle and trash collection trucks. Basically there is constant truck traffic on this access road.

And what of the Community Crushes when you have a dozen of more pickup trucks hauling trailers with olives to be process all day long and into the night? These people are unfamiliar with the narrow road section. Why is it ok to put them in jeopardy? **Why not just fix the road?** What is so wrong with the applicant doing this? After all he is the one causing the problems.

The access road has never been abandoned and is still a County road. Public Works, in an earlier Commission meeting, stated the access road had to meet County Standards and would have to be widened (as also stated in staff reports), and now they don't care because, even though it is still a County road, it is no longer maintained by Public Works so they don't care about the road width. The 20' road width is mandated for public safety for two way traffic. And now the road is safe because they no longer maintain it? What kind of logic is that? Does that make sense to you?

In regard to road width, Planning says that "We defer to CalFire"..Well CAL FIRE originally stated that the road needed to be widened as it was unsafe for two way traffic and now somehow the road is miraculously ok? What kind of BS is that. You notice that they conveniently no longer address two way traffic but only note that the road is ok for their fire truck.

So what we have here is a case of nobody cares. The discretionary use permit was originally intended to allow certain uses that might not otherwise be allowed through the mitigation process and I am for this flexibility. What it has turned into is a conduit to allow anyone with lawyers and money to do whatever they want. To date, NOTHING has been mitigated for this project.

Why is it that the neighbors have to accommodate his illegal operation? Why is it incumbent upon the neighbors to make his operation a financial success when he knew from the very beginning he might not make it unless he could do everything he wanted yet had no permission to do so? After withdrawing a MUP in application in 2006 he went ahead and did what he wanted anyway, and now we have to make it ok for him?

That is the risk that he took and if he is in financial difficulty, he has nowhere else to look but himself and it is not our responsibility to bail him out.

So, the neighbors have already agreed to three setback modifications when none need be given, have not contested his processing of outside olives as I think it to be an appropriate use of Ag Lands, but allowing a RESTAURANT, AND PIZZA KITCHEN outside of tasting room hours...NO! That is a totally inappropriate use of AG land. I don't care if it is being allowed in other areas as it may be appropriate for those areas, but to have the applicant's agent proclaim that they have precedent based on other discretionary uses which is totally illogical as you cannot base precedent on a prior discretionary use permit as they are by definition unique situations that have to be mitigated.

The use of a commercial kitchen for food pairing is allowed during regular tasting hours, but the applicant is not happy with that. He wants to have his tasting hours extended until 9pm so that he can have a full blown restaurant till 900pm at night. No!

The extension of tasting hours is not for food pairing so that he can showcase his olive oil. He can do that during regular tasting room hours. He wants to have a full blown restaurant, and that being the case, he can go downtown where it is zoned for such use.

Look at the attached menu from when he was illegally operating a restaurant. This is not food pairing at all. It a full blown restaurant operation. This is simply not an appropriate use. This idea of allowing commercial restaurant operations in ag lands needs to stop.

**So, the applicant needs to pave** the access road.

**The applicant needs to widen the road** for a short section.

**Do not allow extension of tasting room hours to 900pm** in effect allowing a restaurant operation.

And remember that this is a **discretionary** use permit, if portions of it cannot be mitigated, then those portions should not be allowed.

Thank you for your time,

Peter Byrne

1275 Kiler Canyon

Paso Robles, Ca

805 235 9616



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## CDF/San Luis Obispo County Fire Department

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635 North Santa Rosa • San Luis Obispo • California • 93405  
Phone: 805-543-4244 • Fax: 805-543-4248

October 31, 2006

Karen Nall  
Planning & Building Department  
County Government Center  
San Luis Obispo, CA 93408

Subject DRC2005-00084 / Bone

A site visit was conducted on 10-31-06 for the proposed olive oil processing plant located at 1111 Kiler Canyon Road, Paso Robles, CA. A fire plan was issued for this project dated 1-10-06 stating the requirements for this project. These requirements include road standards calling for minimum 18 feet width, all weather surface, and the ability to support 20 tons.

The site visit revealed that the outer edge of the access road is sloughing off the bank. There is a lateral crack 1/4" to 1/2" wide running most of the length of the road, approximately 200 to 300 feet long. The crack is a distance of one to two feet inward from the edge of road surface. Measured from the inside of the bank to the edge of the road, the road is a minimum of 18 feet wide; however, measured from the inside of the bank to the lateral crack, the distance varies from 15 to 17 feet.

The stability of the edge of the road is suspect. It appears as if road base was pushed over the edge of the road to obtain a wider width. Without stabilizing the bank, and given the seasonal weather elements, CDF/County Fire cannot accept the road in its present condition due to safety considerations for vehicles utilizing the road.

The road condition may possibly be mitigated by stabilizing the bank below the road's edge or creating a wider width by removing soil from the inside of the road. Widening the road on either side will most likely entail the removal of chaparral brush and scrub oak, which appears to be providing some stability to the soil.

Sincerely,

Chad T. Zrelak, Fire Captain



# KILER RIDGE

## OLIVE FARM

seasonal olive oil and food pairings  
chef alex martin. sous chef robbie kaplan



### Starters

Organic Purple Flowering Kale Crisps <i>with italian parsley soffrito, fleur de sel, lemon EVOO.</i>	\$10
Warm Asparagus Salad <i>with local duck egg gribiche, piave vecchio, croccante peas, late harvest EVOO.</i>	\$14
Exotic Mushroom Bisque <i>aged balsamic, house made sage creme fraiche, brittle parsley, tuscan EVOO.</i>	\$12
Artisan Cheese Plate <i>with two local cheeses, add Ale-Pia Salami for five, Cook's Choice EVOO.</i>	\$15
<hr/>	
	add salami \$5



### Entrees

Roasted Vegetable Panino: <i>house made pane toscano, cheese, vibrant pickled vegetables, Cook's Choice EVOO.</i>	\$16
Chef's Choice Market Plate <i>always fresh, likely local.</i>	MP



### Dessert

Vanilla Bean Ice Cream <i>with tuscan EVOO, 15 year aged balsamico di modena, sea salt.</i>	\$5
Frozen Strawberry-Lemon Parfait <i>with pistachio coulis, lemon EVOO.</i>	\$8



### Beverages

Large San Pellegrino Mineral Water.	\$6
Small San Pellegrino Mineral Water, Aranciata (orange), or Lemonata (lemon).	\$3
Coffee, Decaf Coffee, Iced Tea, or Hot Tea.	\$3
Coke, Diet Coke, Dr. Pepper, or Diet Dr. Pepper.	\$3

*\*we strive to source local, seasonal, and sustainable ingredients. \*please inform your server of any food allergies.*

*Thursday-Sunday 11am-5pm, by reservation 805-400-1439. 1111 Kiler Canyon Road, Paso Robles California*



## Kiler Ridge Olive Farm Farm to Table Dinner

Saturday, June 8, 2013 7:00pm



Audrey and Gregg invite you to experience our 2013 olive oils with a fun and delicious farm-to-table dinner. The dinner will be paired with wines from local winemaker Hilary Graves, who will be on-hand to chat about her new releases.

Join us for a special dinner at Kiler Ridge farm & frantoio

Dear Friends of Kiler Ridge Olive Farm:

We are teaming up with local winemaker Hilary Graves for combined olive oil maker and winemaker dinner. The dinner will feature our fabulous EVOO, Hilary's fabulous wines, and a delicious menu created by Chef Meghan that takes advantage of the Paso area's great local meats and produce.

Audrey & Gregg

### MENU

*featuring 2013 Kiler Ridge Extra Virgin Olive Oils  
and new release "Mighty Nimble" wines paired to complement each course*

Assorted crostini  
2010 La Chuparosa (Rose)

Avocado and cucumber soup shooter  
Salad of roasted vegetables, Israeli couscous, & microgreens  
2011 Fruit Tramp (Rhone Blend)

Slow braised lamb with pistou and polenta  
2011 Rock Candy (SGM)

Grilled New York steak with chimichurri sauce,  
over sauté of brussels sprouts, parsnips & shiitake mushrooms  
2011 Small Black (Cabernet)

Vanilla ice cream with EVOO and sea salt  
Shortbread  
Coffee or tea

### Where:

**Kiler Ridge Olive Farm**  
1111 Kiler Canyon Road  
Paso Robles, CA 93446  
805-400-1439  
[www.kilerridge.com](http://www.kilerridge.com)

### When:

Saturday, June 8, 7:00pm

### Tickets:

**\$95 per person**  
Includes tax and gratuity.  
Seating is limited, so reserve soon!

**Add to Cart**

To Contact us:

Email:  
[audreyburnam@kilerridge.com](mailto:audreyburnam@kilerridge.com)

Phone:  
805-400-1439



*Site visits and documentation from County Fire Prevention employees were conducted on October 31 2006, August 13, 2009, and October 14, 2014 showing road width and compaction deficiencies. The road does meet commercial access road requirements in accordance with California Fire Code or San Luis Obispo County Public Works standards. The current road cannot safely accommodate two- way traffic. The road requires an increased width, and a licensed civil engineer to verify compaction of roadway and shoulders. Due to topographic limitations a traffic management plan is also required.*

#### **Road Width and Signage**

- A commercial access road must be 24 feet wide.
- Parking is only allowed where an additional 8 feet of width is added for each side of the road that has parking.
- “No Parking - Fire Lane” signs will be required.
- Fire lanes shall be provided as set forth in the California Fire Code Section 503.
- Fire access shall be provided within 150 feet of the outside building(s) perimeter.
- Must be an all-weather surface.
- All roads must be able to support fire apparatus.
- Vertical clearance of 13’6” is required.
- Fuel modification of 10 feet on either side of roadway must be maintained.
- An approved traffic plan shall be provided to the fire code official.

July 12, 2016

To: Each Member of the San Luis Obispo Planning Commission

c/o Ramona Hedges, sent via e-mail

From: Cody Ferguson

805 Kiler Canyon Road

P.O. Box 1168

Paso Robles, CA 93447

805-238-5597

Subject: Request by Greg Bone for a Conditional Use Permit @ 1111 Kiler Canyon Road, Paso Robles CA 93446

I will be unable to attend the July 14th Planning Commission meeting regarding this ill-advised project. I am not sure that it matters if I am there or not because to date there have been 3 previous meetings of your commission regarding this application @ which the applicants land use consultant, Ms. Pamela Jardini and Mr. Bone's attorney have been afforded well over 2 ½ hours of meeting time to present in favor of this request. This is exclusive of the hours of testimony presented by Mr. Bone's personal advocates, none of whom live anywhere close to the application site. I have been allowed a total of 9 minutes to argue against this application. It is my understanding that once again Ms. Jardini will be afforded more time at the July 14th meeting to continue her advocacy of this project. When the last Planning Commission meeting regarding this application was adjourned on May 26th, the commission stated that the July 14th date would be set aside for public deliberation by the commissioners and that no further testimony would be received on that date. Hence, I made a commitment that will not allow me to attend.

The fact is that I find the entire process regarding this application to be perplexing. For example, as I have stated, there have been 3 previous meetings of

your commission regarding Mr. Bone's application for a fulltime restaurant, pizza kitchen, lunch counter and industrial olive oil complex on property zoned for agriculture only. Between each of these meetings, things that have been discussed @ the previous meeting seem to mysteriously change. Most of these changes have come from the Planning and Building Departments and they always appear to be in favor of allowing the Conditional Use Permit with minimal mitigation. During deliberations on this application by the commission @ the May 26th meeting I was amazed watch Commissioner Irving appear to do his best to sell the project to the other Commissioners as if he was selling a piece of real estate. On the other hand, I watched Commissioner Topping, who listened to the same testimony that the other Commissioners listened to, get it absolutely right including his statement that the only mitigation that makes sense regarding the dusty dirt access road to the subject property that passes within 30 feet of a fulltime residence, was to pave the access road, the driveway and the parking lot. That solution would also be consistent with what the Commission required Ecluse Winery to do about a half mile farther up Kiler Canyon in order to have a tasting room only.

As a retired Fire Captain, with 35 years of service, I also find the casual nature with which Cal Fire has approach this project to be suspect. Not only do I take issue with Cal Fire Battalion Chief Laurie Donnelly's original off the wall mitigation of the access road and driveway from 20 feet wide, which is Cal Fire's normal absolute minimum width for project's like this, down to 16 feet but, additionally Cal Fire sent 2 different Fire Captain's to the Commission meeting's to testify about something that they apparently knew little or nothing about. I am extremely disappointed in Cal Fire's performance with regards to this project as not only public safety has been ignored but, the safety of their own personnel who might have the occasion to use the access road for fire trucks during an emergency. This access road, driveway and parking lot should be widened and paved for this project to go forward as proposed. Dust depressant doesn't work!

It would appear that little or no consideration has been given to what this project will do to the property values in the immediate neighborhood, especially the value of Peter Byrne's property which is immediate to the extremely dusty dirt access road.

